



PTO/SB/31 (08-03)

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**NOTICE OF APPEAL FROM THE EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

EXPRESS MAIL CERTIFICATE

I hereby certify that I am mailing the attached documents to the Commissioner for Patents on the date specified, in an envelope addressed to the Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, and Express Mailed under the provisions of 37 CFR 1.10.

Candace White

November 18, 2003

Date

EL 996187715 US
Express Mail Label Number

Docket Number (Optional)

2771-497 (7486)

In re Application of	
STAUF, Gregory T., et al.	
Application Number	Filed
09/681,609	May 8, 2001
For BARRIER STRUCTURES FOR ...	
Art Unit 2814	Examiner Thao, X. LE

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

Pending claims 1-39 rejected in 5/19/2003 Final Rejection. Claim 27 was indicated to be prospectably allowable if re-written in independent form. The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$ 330.00. A Response was filed on 11/18/2003 re-writing claim 27 in independent form.

Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ _____

A check in the amount of the fee is enclosed.

Payment by credit card. Form PTO-2038 is attached.

The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 08-3284. I have enclosed a duplicate copy of this sheet.

A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

25559

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

applicant/inventor.

assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)

attorney or agent of record.
Registration number 28,021

[Signature]

Steven J. Hultquist

Typed or printed name

(919) 419-9350

Telephone number

04 TOKON1

00000003 083284 09681609
 attorney or agent acting under 37 CFR 1.34(a).

November 18, 2003

Date

253 950.00 DA
 Registration number if acting under 37 CFR 1.34(a).

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.
Submit multiple forms if more than one signature is required, see below.

*Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.191. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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Deposit Account No. 08-3284 in such prior document (Response to the May 19, 2003 Office Action, fax filed in the USPTO on November 18, 2003).

Enclosed is a Credit Card Payment Form authorizing payment of the appeal fee specified under 37 CFR §1.17(b) in the amount of \$330.00.

Respectfully submitted,


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